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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/789,411

02/27/2004

Siegfried Fichtner

FICHTNER

5262

7590

03/08/2005

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EXAMINER

MULLINS, BURTON S

ART UNIT

PAPER NUMBER

2834

DATE MAILED: 03/08/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/789,411

Applicant(s)

FICHTNER ET AL.

Examiner

Burton S. Mullins

Art Unit

2834

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-13 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-12 is/are rejected.
- 7) ☒ Claim(s) 13 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 February 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. ____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Priority

1. Receipt is acknowledged of papers submitted under 35 U.S.C. 119(a)-(d), which papers have been placed of record in the file.

Information Disclosure Statement

2. The information disclosure statement (IDS) submitted on 07 September 2004 has been considered by the examiner.

Claim Objections

3. Claims 4, 9 and 12 are objected to because of the following informalities: In claims 4 and 12, “to realize” and “realizing” are not idiomatic. The examiner suggests the word ‘provide’. Similarly, in claim 9, “at least one web is reduced in material” is not idiomatic and should be –material in the web is reduced---. Appropriate correction is required.

Claim Rejections - 35 USC § 112

4. Claims 4-12 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. In claim 4, recitation “a radial disposition of the plate on the shaft” is vague and indefinite because it is not clear what a “radial disposition” means. Does this mean the webs contact the shaft in the radial direction? For purposes of examination, the examiner will interpret this phrase to mean that the webs hold the plate radially on the shaft.

Claim Rejections - 35 USC § 102

5. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

6. Claims 1-2 rejected under 35 U.S.C. 102(b) as being anticipated by Jensen et al. (DE 19525704 C1). Jensen teaches a shaft 7; and a rotor core 8 mounted onto the shaft 7 and formed of a plurality of stacked laminations (not numbered, Figs.1&2), said rotor core 8 having opposite end surfaces (Figs.1&2) for attachment of a plate 16/17 in such a manner as to allow an axial deflection of the laminations in the area of the plate since holes in each plate 16/17 have a diameter greater than the inner diameter of the laminations (Fig.2)

7. Claims 1-3 rejected under 35 U.S.C. 102(b) as being anticipated by Fahlman (US 2003587). Fahlman teaches a shaft 9; and a rotor core mounted onto the shaft and formed of a plurality of stacked laminations 1 (Figs.1&2), said rotor core having opposite end surfaces (Fig.2) for attachment of a plate 4 in such a manner as to allow an axial deflection of the laminations in the area of the plate since holes in each plate 4 have a diameter 2 mm greater than the inner diameter of the laminations (Figs.2&3).

8. Claims 1-3 rejected under 35 U.S.C. 102(b) as being anticipated by Joy (US 2499390). Joy teaches a shaft 1; and a rotor core mounted onto the shaft and formed of a plurality of stacked laminations 2 (Fig.1), said rotor core having opposite end surfaces (Fig.1) for attachment of a plate 5 in such a manner as to allow an axial deflection of the laminations in the area of the

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plate since holes in each plate 5 have a diameter 2 mm greater than the inner diameter of the laminations (Fig.2).

Claim Rejections - 35 USC § 103

9. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

10. Claim 3 is rejected under 35 U.S.C. 103(a) as being unpatentable over Jensen et al. (DE 19525704 C1). Jensen teaches all of applicant's structural limitations but does not specify the size of the difference in diameters to be at least 2mm. However, this would have been obvious since it has been held that discovering the optimum value of a result effective variable involves ordinary skill. In re Bosch, 617 F.2d 272, 205 USPQ 215 (CCPA 1980).

Allowable Subject Matter

11. Claims 4-12 would be allowable if rewritten to overcome the rejection(s) under 35 U.S.C. 112, 2nd paragraph, set forth in this Office action and to include all of the limitations of the base claim and any intervening claims. Regarding claim 4, the prior art does not teach or suggest a plate structure comprising, inter alia, at least three webs extending substantially radially inwardly so that they hold the plate radially on the shaft.

12. Claim 13 is objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and

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any intervening claims. Regarding claim 13, Joy teaches slots formed in the plate 5 for accommodation of rotor bars; however, there is no teaching or suggestion in Joy or in the remaining art of record of recesses in the plate for operation of the electric machine or its manufacture.

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Burton S. Mullins whose telephone number is 571-272-2029. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Darren Schuberg can be reached on 571-272-2044. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



Burton S. Mullins
Primary Examiner
Art Unit 2834